

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

GRETCHEN S. STUART, M.D., et al.,)	
)	
Plaintiffs,)	
)	
v.)	CIVIL ACTION
)	
RALPH C. LOOMIS, M.D., et al.,)	Case No. 1:11-cv-00804
)	
Defendants.)	

JOINT MOTION TO CONTINUE TRIAL DATE

Now come the parties, Plaintiffs and Defendants, through their respective attorneys of record, and jointly and respectfully, pursuant to Local Rule 40.1(b), move this Court for a continuance of the trial date set in the above captioned case. The Notice issued by this Court on April 27, 2012, set trial in this matter for January 7, 2013.

The parties agree that the Court can resolve this case as a matter of law, and all parties have filed a notice of their intention to file a motion for summary judgment. Currently, summary judgment motions are due on or before October 3, 2012. Thus, under the filing deadlines established in Local Rule 56.1(d) for filing a response and reply brief, these cross-motions may not be fully briefed until the middle of November. Accordingly, in the interest of judicial economy, and to preserve both the Court and the parties' resources, the parties jointly and respectfully request that this Court grant a continuance of the January 7, 2013 trial date to provide sufficient time for the resolution of the parties' cross-motions for summary judgment.

Respectfully submitted on the 14th day of September 2012,

/s/ Christopher Brook

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/s/ Serina Floyd

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/s/ Takey Crist

Takey Crist, M.D.

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Takey Crist, on behalf of
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/s/ David Lipton

David Lipton, on behalf of Piedmont
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/s/ Janet Colm

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/s/ Kelly Martin

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/s/ Ernie Lee

Ernie Lee, D.A., on behalf of
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DEFENDANTS

CERTIFICATE OF SERVICE

The undersigned attorneys hereby certify that on September 14, 2012, they conferred and mutually agreed upon the foregoing JOINT MOTION TO CONTINUE TRIAL DATE, and the same was then filed electronically with the Clerk of the Court, by Christopher Brook, using the CM/ECF system, which will send notification of such filing to all counsel of record.

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